App F IX 4

Previous References (1947 48 mL)

File No 40 47

Serial Nos 83 84

Later References

GENERAL AND REVENUE SECRETARIAT.

Serial Nos

TWO

Part B for NOVEL

SUBJECT

Election of Mr Bsp Halappa as the President of the Bhadravati Town Municipal Council Shimoga Dt

K 10988 → 2011 47

DO

The Compiler may

Note this ——

12
2

1227/md

Election of non official president to the Bhadravathi Town municipal Council

---

OFFICE OF THE MINISTER FOR LOCAL
No 2756
Dat 5-9-47

From

The Dy Commr, Shimoga Dt

No MPBE 514/47 u8 dated 27 8 47

States that at the elections held on 22-8 Mr B P Hallappa has been elected as the non official president of the Bhadravathi Town municipal Council, that an objection petition Contesting the validity of the election has in the meantime been filed by Mr K S Ramachandrasetty and three others on 26 8 47 which has been referred to the S D O, Bhadravathi for enquiry, and that the final Report with the Records of Enquiry would be submitted in due Course

Submitted for perusal—

1) Now orders of the final Report pronounced by the D C may be awaited

Sd/ 1/9/47
JM

2) Receipt from 1/9/47

3) The premises Report will be awaited

SwA
1/9

Minister for Rev & Coms) 4) Sd 5/9/47

Sd 6/9

1227 ∫ 2482

Re Election of a Non-offical President to Bhadravati Town M C C

From

The Deputy Commissioner
Shimoga West Shimoga

No M3 514/47-48 dated 12-11-47

States that the objections raised by Mr H S Ramachandra Setty & others contesting the validity of the election of B P Halappa as non official President of the Bhadravati Town M C C are not sustainable & recommends that the election of Mr B P Halappa as non official President of the Bhadravati Town M C C may be approved

5) Sd with a dft Notification for approval or other orders — ref[e] paras 3-4 supra

CS 17/11 Dy 17.11.47 It is seen from the records that an enquiry has been conducted in regard to the objections raised in the petition against the election of the non-official President of the Bhadravati Town M C C. The S D O

has held all the four objections
preferred by the petitioners as being
untenable. He agrees
with the findings of the Enquiry
Officer and recommends approval
for the election. He says that
may therefore be approved

18/11/47

May be approved

18/11/47

18/11

18/11/47

TYPING SECTION
19 NOV 1947

84 20 Re Complete
Mysore Gazette
No. L 10988/ml 40-47 84 dt 20-11-47
Notifies the election of Sh B P Halappa
as the President of the Bhadravathi
T M C

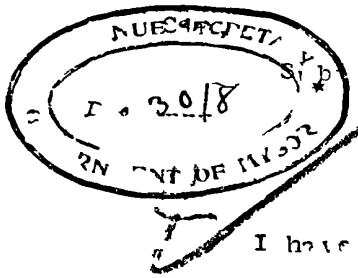
28/11/47

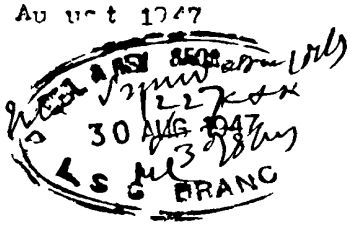
Rec'd at 5 P M

No. M3 C 514/47-48 Office of the Deputy Commissioner
Encls. Three (Copy of the objection petn Shiyali District
copy of 2 1 President's report Dated Shiyali 27th August 1947
do 3 copies resolution

To

The Secretary to Government,
Revenue Department
MADRAS





Subject - Election of the B P Nominee as non-official President - Shiyali Town Municipal Council
Election petition presented by Messrs K S Ramachandra Setty and Three others

I have the honour to state that after the reconstitution of the Shiyali Town Municipal Council for a period of three years with effect from 1st August 1947 - Vide Government notification No. L 17700/41-47-5 dated 30th July 1947, necessary action in terms of the Interim President the Assistant Shiyali Taluk to hold the election of the non-official President to the Municipality in accordance with the election rules on the subject

A calendar of events of the election of the President was published the Interim President including the date of Election on 22-8-47 The last date of receipt of nomination applications for candidature in this connection was fixed to 13-8-47

It is reported that the President that only two candidates viz Messrs B P Nalampalam and Sathyanarayana B A BL contested at the election the accountant at the election held on 22-8-47 the former B P Nalampalam secured 14 votes and the latter Mr Sathyanarayana 11 rejected Votes One vote rejected to be invalid The Assistant Interim President has declared the election result

As the B P nominee secured a majority of votes viz fourteen, he was declared to be elected non-official President of the Shiyali Town Municipal Council

A copy of the proceedings of the meeting convened for the above purpose on 22-8-47 is enclosed for favour of perusal

In the meanwhile an objection petition containing the
elicit o the n o ernal election has been received in the office
on 2C-C-47 b cein S Ta ar an objection on these other -
unicipal Councillo -

The point i ec cie ly stated in the objection petition
nael ieficiene n con of ion in oi icec cie ti on -
ic ion e Under rule 8 of t ul e ic ulatin t e election
of Pic ident of Tow i ill be held I have ieficia the
xxxxx objection petition in ue stion to the Si Di i ion Officer
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Sd/- Name illegible
Post Designation 27/8/47
District

In the Court of the Acting [illegible] Shillong

Petition

Petitioners -

1) I S [illegible] Settlement Councillor
2) [illegible] Councillor
2) [illegible] Municipal Councillor
3) Amrai [illegible]
4) [illegible] Bathmenlang [illegible] Councillor & Others
All residents of Shillong

Respondents -

[illegible] Election of [illegible] Lindith Municipal Councillor [illegible]

***

Under rule 7 of the Town Municipal Election Rules the petitioners beg to submit the petition under the Election to the Election of the Town Municipal Council Shillong held on 20-3-47 and beg to declare and allege as follows and state other grounds

1) That election of the respondent [illegible] Constituency on the Council has not been notified to Government and which has been kept pending The total number of the Councillors for Shillong Town Municipal Council is 20 one out of 19 Councillors now available Election was conducted on the basis [illegible] available or another [illegible] to contest the election in question the Returning Officer at the Election [illegible] objection was made by the respondent and [illegible] the objection without recording the reasons to [illegible] in the notification of the Council and [illegible]

2) That on the day of election to meet interim the ballot papers that the [illegible] not contain the instructions as required to vote and the number to be elected and [illegible] continue the official position of In

3) [illegible] maintained that the election and one of the Municipal [illegible] to contest the Respondent

P T O

4) The provisions of the Rule 4 of the Municipal Election of Precincts are contravened the fact that the Asst Commissioner conducted the Election and no Councillor was chosen as President of the Municipality

Under the provisions that the said Election held on 22-8-47 of the respondent as President of the Municipality is void and under Section 194 of the Town Municipalities Act the office has become vacant and the date of the office be set aside till the disposal of the petition and an enquiry be ordered under Rule 8 of the Election Rule

Sd/- I S Rangaswamy Setty
'C C P 1' Sd/- Ahmed Ali
Sd/- I Ali
Sd/- I Sathyanarayana
PETITIONERS

'C C P 2'

S Veeranarayappa
27/8/49
Deputy Commissioner
Shimoga District

CL 2

Copy of letter No nil dated 22nd August 1947 from the Acting-President Town Municipal Council Phalaborwa to the Deputy Commissioner Shiloane District Shiloane

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Re Election of non-official President to the Council of this Township Municipality

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In enclosing herewith certified extract from the proceedings of the special official meeting of the Township Municipal Council Phalaborwa held on the above subject I beg to state that the election of the non-official President was held on 22-8-47 at 10-0 A.M. as per the calendar of events and it was closed at 10-40 A.M. The ballot box was opened in the presence of the Municipal Councillors and Ballot papers counted 14 B.P. Islanders enrolled 14 Votes in all 14 Satisfactory and 4 Votes 14 B.P. Islanders who secured the highest number of votes were all declared elected as President of the Municipality I therefore to find obtain sanction of Government for the election of 14 B.P. Islanders to the President of the present Council

****

Copy

S Moore Ramsay
27/8/47

Deputy Commissioner
Shiloane District

CE 2

Proceedings of the Special Meeting of the Municipal Council held on 22-8-1947

Members Present — President - Mr. S Gopalakrishnaiah

Members -

1. Seethalakshmi
2. B P Pillai
3. B Pandian alias Scott
4. [illegible]
5. [illegible]
6. V Visvanatham
7. I Thiruman
8. [illegible]
9. [illegible]
10. Yellaiah
11. [illegible]
12. L Lakshmanan and Achi
13. Abdul Khadir Ammal
14. Saleem Sahib
15. D Theethipalayam Rao
16. K S Pandiakshmi alias Scott
17. Rajaram Pillai
18. [illegible]
19. [illegible]

1 Election of a President for the election proceedings

It was unanimously resolved that Mr. S Gopalakrishnaiah, B A Advocate, should be the President for the election proceedings

2 Election

After calling the attention of the members present to the notification calling the Council meeting at 10 A M this day for the election of President and Vice-President and drawing their attention to the objection petition received from Mr. Scott alias Pandian and Mr. Rajaram Pillai and the endorsement made thereon by the President to the effect that the election may be postponed till the matter is settled, all the members present except Mr. B P Pillai were unanimously of opinion that the objection petition is not tenable in law and that the election of President may be proceeded with. The objection was overruled and the election allowed to continue. The election closed at 10-20 A M. The result of the ballot is recorded in the presence of the Councillors present. Theethipalayam and Kondalampatti Tellers and Mr. B P Pillai acted as Polling Agents and there being no objection to the Voters and there being no objection to Mr. B P Pillai was declared elected

EXTRACT

Copy

Sd/- S Gopalakrishnaiah
PRESIDENT

Secretary Commercial Tax Department

Rl 40-47-83

No D C 514/47-48
Rule Rule of record with
enquiry proceedings

Office of the Deputy Commissioner
Baroda District
Dated Baroda 13th November 1947

To

The Secretary to Government
Revenue Department
BARODA

Subject - Election of Rt B P Planner as non-official President Bhayan of the Town Municipality

In continuation of this office letter of even number dated 27th August 1947 on the above subject I have the honour to forward herewith in original the report of Mr 479(a)/47-48 dated 10th October 1947 together with the record of enquiry proceedings of the Sub Division Officer Bhayan with the request to state as follows -

In this office Original Memorandum No M C 514/47-48 dated the 27th August 1947 the Sub Division Officer Bhayan-nath Sub Division was directed under Rule 8 of the Rules relating to the election of the Presidents of Town Municipal Councils to hold an enquiry into the validity of the objections raised by the petitioners and submit a report with records within month The Sub Division Officer has held an enquiry as directed and has submitted details report

(1) As regards the objection that the President's election was conducted with all 19 councillors as against the sanctioned strength of 20 and that the Assistant President overruled the objection when it was raised at the time of the election the Sub Division Officer has held that under Section 36(3) of the Town Municipalities Act the existence of a vacancy does not affect the powers of the Council as long as the continuing councillors act and that the present election is not vitiated on the score of this vacancy The Sub Division Officer has opined that the Assistant-President was right in overruling the objection raised

(2) With regard to the objection that the ballot papers issued were not in the form prescribed by the rules of law inasmuch as they did not contain instructions as to the mode of the voting the vote and the number of votes to

persons to be elected etc the Sub Division Officer has held that no such objection was raised at the time of election and is apparently an afterthought The Sub Division Officer is of opinion that in the absence of any particular form prescribed in the Election Rules the form of the ballot paper adopted by the Council was quite valid

(3) As regards the objection raised that secrecy of voting was not observed etc the Sub Division Officer has held after enquiry that each of the councillors took his ballot paper to the booth which was screened off and after marking on the ballot paper in the booth so that no one was able to see in whose favour the vote was recorded put it into the Ballot-box and that the Amildar President explained to each of the councillors as appropriate him in their turn the procedure in which the marking had to be done In the result the Sub Division Officer had held that secrecy of voting has been observed in the conduct of the election

(4) Regarding the objection raised that under Rule 4 of the Rules for the election of Presidents councillors could have been empowered to preside over the meeting and conduct the election the Sub Division Officer has held that under Section 23(C) of the Town Municipalities Act the Amildar as the President of the Municipal Council when there is a vacancy in the Office of the President and that when the present election proceedings commenced the Council unanimously chose the Amildar to be the President for conducting the election (vide copy of the Council Resolution enclosed) This objection is therefore untenable

It will thus be observed that the objections raised do not sustain and agreeing with the findings of the Sub Division Officer I recommend that the election of Mr P Balaram as President which has been conducted in accordance with the Rules may kindly be approved

I have the honour to be
Sir
Your most obedient servant
S Bruno Gracias

Asst Director of Panchayats

L 10988/Rd 40-47-84

GOVERNMENT ~~OF~~ HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated Bangalore 20 Nov 1947

NOTIFICATION

Under ~~Section 10 (2) (c) of the Mysore Minor Municipalities Act 1933~~ Section 23 (2) (C) of the Mysore Town Municipalities Act 1933 Mr B P Halappa Bhadravati is elected President of the ~~Minor Municipal Council~~ Town Municipal Council Shimoga District

By Order

Secretary to Government
Revenue ~~Law~~ *Department*

To

The Compiler Mysore Gazette for publication in part III-3 of the Gazette and supply of five copies thereof to the Secretariat and the Deputy Commissioner Shimoga District

Memo No L 10989 20-11-47

Copy of the above is forwarded with compliments to the Deputy Commissioner Shimoga District for information with reference to his letter No M3 514/47-48 dated 12-11-1947

The records accompany

By Order

For Secretary to Government
Revenue ~~Law~~ *Department*

P 17 11 47

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

No. L. 10988/m/40-47-84 General and Revenue Secretariat
Dated Bangalore 20/11/ 194

NOTIFICATION

[illegible] section 23(2) (c) of the [illegible] Town Municipalities Act, 1933, Mr. B. [illegible] Malenna is elected President of the Bradavati Town Municipal Council, Kadur District.

By order,

[illegible]

To

The Collector, [illegible] Gazette, for publication in Part VI-A of the Gazette and supply of five copies thereof to the Secretariat and the Deputy Commissioner, Kadur District.